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April 27, 2006

Telephone: To: Attn.: Group Art Unit 1633 (571) 273-8300 **United States Patent and Trademark** Office Linda R. Judge (Reg. No. 42,702) Client-Matter Number: From: 415.836.2500 Re: U.S. Patent Application No. 10/602,853 Filing Date: June 24, 2003 First Named Inventor: Yung-Nien CHANG Art Unit: 1633 Examiner: Scott Long Attorney Docket No.: 3802-173-27 DIV Pages: - 13 - (including this form) Originals:

Message:

Papers Included in this filing:

- Transmittal + copy (2 pages) 1.
- Response to Restriction Requirement (10 pages)

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PAGE 2/13 * RCVD AT 4/27/2006 5:44:04 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-5/9 * DNIS:2738300 * CSID:415 836 2501 * DURATION (mm-ss):04-36

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Under the Pagenwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. **Application Number** 10/602,853 TRANSMITTAL Filing Date June 24, 2003 FORM First Named Inventor Yung-Nien CHANG Art Unit 1633 Examiner Name Scott Long (to be used for all correspondence after initial filing) Attorney Docket Number 3802-173-27 DIV Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance Communication to TC Fee Transmittal Form Drawing(s) Appeal Communication to Board Fee Attached Licensing-related Papers of Appeals and Interferences Appeal Communication to TC |√| Petition Amendment/Reply (Appeal Notice, Brief, Roply Brief) Petition to Convert to a Provisional Application Proprietary Information After Final Power of Attorney, Revocation Affidavits/declaration(s) Status Letter Change of Correspondence Address Other Enclosure(s) (please identify Terminal Disclaimer Extension of Time Request below): Facsimile Cover Sheet Request for Refund Express Abandonment Request CD, Number of CD(s) Information Disclosure Statement Landscape Table on CD Certified Copy of Priority Remarks Document(s) The Commissioner is authorized to charge any deficiencies in fees and credit any overpayment Reply to Missing Parts/ of fees to Deposit Account No. 07-1896. A duplicate copy is provided. Incomplete Application Reply to Missing Parts Customer No. 29585 under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name QLA Piper Rudnick Gray Cary US LLP, 153 Townsend Street, Suite 800, San Francisco, CA 94107-1957 Signature Printed name Linda R. Judge, Telephone: 415-836-2586, Facsimile: 415-836-2501 Date Reg. No. April 27, 2006 42,702 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facelmile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: 1-571-273-8300 Signature Date Káthleen A. Farrell April 27, 2006 Typed or printed name

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ļ			Art Unit	1633			-	
(to be used for all correspondence after initial filing)			Examiner Name	Scott Long	Scott Long			
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ENCLOSURES (Check all that apply)								
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Firm Name	DLA Piper Rudnick Gray Cary US LLP, 153 Townsend Street, Suite 800, San Francisco, CA 94107-1957							
Signature	Signature Vide Rifulge							
Linda R. Judge, Telephone: 415-836-2586, Facsimile: 415-836-2501							1	
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DOCKET NO. 3802-173-27 DIV

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Yung-Nien CHANG, et al. Art Unit:

1633

SERIAL NO.:

10/602,853

Examiner:

Scott Long

FILING DATE:

June 24, 2003

FOR:

VECTORS FOR TISSUE-SPECIFIC REPLICATION AND

GENE EXPRESSION

RESPONSE TO RESTRICTION REQUIREMENT

MAIL STOP AMENDMENT COMMISSIONER FOR PATENTS PO BOX 1450 ALEXANDRIA, VA 22313-1450

SIR:

Responsive to the Restriction/Election of Species Requirement dated March 28, 2006, Applicants elect:

A: a viral enhancer as the tissue specific enhancer (recited in Claims 41 and 55);

B: an alpha-fetoprotein promoter as the tissue specific promoter (recited in Claims 40, 54, 67, 76, 85 and 92);

C: Ela as the transcription factor (recited in Claims 38-96); and

D: thymidine kinase as the coding sequences (recited in Claims 42, 50, 56, 58, 73, 82, 88, 89, 95 and 96), with traverse, for further prosecution at this time.

Remarks begin on page 9 of this paper.

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